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INFO RUEHZK/ECOWAS COLLECTIVE
RUEHUJA/AMEMBASSY ABUJA 8699
RUEHWR/AMEMBASSY WARSAW 0346
RUEHCD/AMCONSUL CIUDAD JUAREZ 0326
RUEHIT/AMCONSUL ISTANBUL 0325
RUEHSO/AMCONSUL SAO PAULO 0318
RHEFDIA/DIA WASHINGTON DC
RHMCSUU/DEPT OF ENERGY WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC

UNCLAS SECTION 01 OF 04 LAGOS 000337

SIPDIS

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STATE FOR AF/W
STATE FOR INR/AA
DOE FOR CAROLYN GAY
WARSAW FOR LISA PIASCIK
CIUDAD JUAREZ FOR DONNA BLAIR
ISTANBUL FOR TASHAWNA SMITH
SAO PAULO FOR ANDREW WITHERSPOON

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [PREL](#) [ELAB](#) [KIRF](#) [NI](#)

SUBJECT: SOUTHERN NIGERIA HUMAN RIGHTS UPDATE THROUGH MARCH 2007

REF: 06 ABUJA 2791

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¶1. This is a roundup of recent incidents representative of the human rights situation in southern Nigeria. This summary is organized according to the sections of the annual Human Right Report. These incidents have not been reported in other cables.

Section 1 - Respect for the
Integrity of the Person

a. Arbitrary or Unlawful Deprivation of Life

¶2. One person was killed and twenty others injured when violence erupted on January 30 at the Oshogbo Local Government Office, Osun State. The violence occurred when some council members invited the local government council (LGC) chairman to a meeting to explain the expenditure of those funds accruing to the local council from the federal accounts. Police detained LGC Chairman Liadi Gbadamosi and declared fifteen councilors wanted. The investigation is ongoing.

¶3. In November 2006, Ishola Babalola, was killed by an accidental discharge from the rifle of a mobile policemen at a check-point at Ilara-Mokin, near Akure, Ondo State.

¶4. Police investigation into the July 2006 murder of Lagos politician Funsho Williams is ongoing. Although several subjects are in detention, none have been formally charged with the crime.

¶5. The police investigation into the August 2006 murder of Ekiti gubernatorial candidate Ayo Daramola is ongoing.

¶6. In March, Polspec attended the 2nd Awards and Graduation Ceremony for human rights ombudsmen in the Lagos Police

Force. The ceremony is the culmination of a three-month training of police officers in the basics of human rights, conducted by the Crime Victims' Foundation, a nongovernmental organization.

b. Disappearance

¶17. On January 24, gunmen abducted the Anambra State Commissioner for Works and her son. The incident occurred when the Commissioner was inspecting government projects in the Degema Local Council Area. The Commissioner and her son were later released. On January 31, Pius Ogbuawa, an Anambra businessman was kidnapped while returning home from the church. A police spokesperson alleged the kidnappings were the handiwork of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), and were under ongoing investigation.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

¶18. Torture remained prevalent. One human rights group reported forms of torture include the tying of arms and legs behind the body, suspension of the body while tying a person's hands or legs to fixtures in the ceiling, severe beatings, spraying of tear gas, shooting in the foot or leg, and applying pliers or electric shock to the most sensitive areas of the body. Several suspects have died as a result of injuries received through torture.

¶19. In March, the United Nations (UN) reported Nigeria had one of the worst records of torture and detainment of prisoners in the world. The UN Special Rapporteur on Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment, Manfred Nowak, described the use of torture as a common practice by Nigerian police to extract confessions or obtain

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information. Nowak commented that of all the prisons and detention centers his team visited, Port Harcourt was the most egregious offender with regard to living conditions. It was intended to hold 800 detainees but actually held 2,420. Of this number, 2,217 were awaiting trial or were being held without charge. Nowak also decried the rampant corruption in the police force, which operates with a large degree of impunity. In September 2006, an earlier UN report condemned Nigeria's overcrowded prisons and called for reform.

¶10. In December 2006, the Constitutional Rights Project secured the release of 30 inmates from Lagos prisons who had been held from 4 to 11 years without trial.

¶11. In September 2006, Inspector General of Police Sunday Ehindero banned the sale of police uniforms in the Niger Delta for fear militants in the region would impersonate police. The media reported that when a woman in Akwa Ibom was arrested for impersonating a policewoman, she claimed she purchased the uniform from the police barracks.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

¶12. In September 2006, the Committee for the Defence of Human Rights (CDHR) in Delta State declared the police illegally destroyed houses and property in Afiesere, Delta State. CDHR said the police destroyed 40 houses and 15 vehicles in all. The police claimed they were investigating the killing of a police officer and an inspector of police by youths from Afiesere.

Section 2 - Respect for Civil Liberties

a. Freedom of Speech and Press

¶13. Ebonyi Voice. Two journalists, both former government officials including Imo Eze, the former Press Secretary to the Governor, were jailed for slanderous allegations but were subsequently released. A contact told Poloff some of the allegations were true and others were not, but the Governor was especially angered that the journalists wrote on the paternity of the child of the Governor's daughter.

¶14. Two journalists, Debo Adeosun and Sanjo Akinbi of the Broadcasting Corporation of Oyo State, were beaten in Ibadan by men of the state security outfit, "Operation Gbale". Three television journalists with Galaxy Television were assaulted in Ibadan by security operatives. These journalists were accosted while reporting on the fuel scarcity in the city.

¶15. In December 2006, agents of the Economic and Financial Crimes Commission (EFCC) raided the office of Cosmo FM, based in Enugu. The EFCC claimed to be raiding the office in connection with corruption charges against the Governor, Chimaroke Nnamani, who the EFCC claims is the owner of the station. However, the Managing Director of Cosmo FM charged the EFCC launched the raid without a warrant.

b. Freedom of Peaceful Assembly and Association

¶16. In December 2006, agents with the State Security Service (SSS) raided the Lagos offices of the Civil Liberties Organization (CLO) and the United Action for Democracy (UAD), both vocal critics of the government.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

¶17. In March, the Petroleum Tanker Drivers wing of the National Union of Petroleum and Natural Gas Workers (NUPENG), Port Harcourt Zone, decried its treatment by the Nigerian

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Police. In a statement, the union alleged harassment, extortion, and physical attacks by the police and other security agencies. NUPENG charged that while the police extort from tankers claiming the tankers are transporting vandalized fuel, often the police themselves participate in the vandalizing.

Section 3 - Respect for Political Rights:
Citizens' Right to Change Their Government

¶18. On January 31, Human Rights Watch (HRW) released a report titled "Chop Fine: The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria". In the report, HRW charged that despite a quadrupling in budget since 1999, corruption and mismanagement in Nigeria's wealthiest state prevented it from providing basic health and education services. HRW called on government at all levels to enact reforms to make state and local governments more transparent and accountable. HRW also called on the Rivers State government to publish detailed and accurate information about its public expenditures.

¶19. Please see reftel and election cables for information about the Nigerian elections.

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Section 4 - Government Attitude Regarding
International and Nongovernmental Investigation
Of Alleged Human Rights Violations
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¶20. During his visit to Nigeria in March, UN Special Rapporteur on Torture Nowak singled out the SSS, which he said denied his office access to their detention facilities on three occasions. Nowak commented this action "constituted

a serious breach of the terms of reference agreed upon by the government."

Section 5 - Discrimination, Societal
Abuses, and Trafficking in Persons

¶21. In November 2006, Amnesty International released a report titled "Nigeria: Rape-the Silent Weapon". The Amnesty report characterized rape as an endemic problem largely ignored by the police and legal authorities. The report also alleged Nigerian security forces committed rape, particularly in the Niger Delta, as a tactic to "coerce and intimidate entire communities". Amnesty reported widespread rape occurred in the Niger Delta regions of Ogoniland, Odi, Odioma, and Ugbrodo, and although a report was presented to the Federal Government in May 2002, no members of the security forces had been charged. The report also charged a "near total failure of the Nigerian state to protect women and girls from these terrible crimes." Amnesty criticized the Nigerian government for its failure to keep official statistics on rape and other violence against women.

¶22. On Women's Day in March, the nongovernmental organization Ajegunle Community Project, based in Lagos, declared Nigerian women still face various forms of gender-based discriminatory practices at home and the workplace. As an example, the spokesperson estimated that "about 60 percent of women in Nigeria have undergone female genital mutilation at some stage of their lives". These practices amounted to a campaign of violence against women, the group said.

Comment

¶23. While the excesses committed during the military era have

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declined radically, the Obasanjo administration has not advanced the cause of human rights as much as might have been possible. What priority the incoming administration will place on human rights issues is uncertain. However, being a "purely civilian" administration may allow it to be more forward-looking. Nongovernmental organizations, such as the Crime Victims' Foundation, have been working with law enforcement officials to improve their human rights awareness, but to progress further they will need assistance from the courts and the federal government. A deep-rooted attitude within Nigerian law enforcement agencies condones torture and other excesses to achieve their ends. The slow workings of the Nigerian court system often translate to justice denied. Improvement on human rights will depend on the political will of the new administration to tackle these more prosaic yet common abuses such as police misconduct and judicial lassitude. End comment.

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